

Book Review

Japan's Island Troubles with China and Korea: Prospects and Challenges for Resolution

Edited by Victor Teo and Haruko Satoh.

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Taisaku Ikeshima

Territorial disputes tend to ignite the fire of nationalism partly because of the ignorance about and misunderstanding of the facts surrounding them, such as applicable rules and historic events. Japan's territorial disputes with China (including Taiwan) and South Korea over the Senkaku/Diaoyu and Takeshima/Dokdo islands, respectively, may also be among these, since nationalism in Japan is spurred whenever skirmishes occur in and around the maritime areas of these disputed islands. The Japanese government, effectively occupying and administering the Senkaku islands, denies to the Chinese government the existence of a dispute over the islands, while claiming its territorial sovereignty over Takeshima against South Korea, the occupant. These islands in dispute are basically uninhabited. The use of a third party such as an arbitral or judicial court to settle any one of the two above-mentioned disputes has not been successful mainly because none of the occupants of the islands agree with the opponent about responding to the motion made by the other party to negotiate a resolution, negating the existence of a dispute.

Japan's Island Troubles with China and Korea: Prospects and Challenges for Resolution can be another meaningful addition to the contribution of understanding a possible resolution to these long-lasting disputes between three major countries (or even four parties, in fact, if Taiwan is eligible) in East Asia. There have been many scholarly works on the methods and methodologies used to find a solution to these territorial disputes. However, legal analysis and historical surveys of maps and documents are not satisfactory to practically resolve any of these disputes. The objective of the book under review is to widen 'the space for public and policy discussions and debates on this divisive topic by opening a politically neutral avenue for a plausible and forward-thinking dialogue to occur between the parties involved' (p. 2). However, this 'neutral' approach with

‘forward-thinking’ attitude is not easy even for academics or experts, who are normally supposed to be dissociated from parochial nationalism, to apply in practice.

Chapter 2 (by Yoneyuki Sugita) positively evaluates the Senkaku/Diaoyu issues in terms of Japan’s security policies in the sense that, with the help of the US security engagement, continuous tensions created by the dispute ‘led the Japanese public to accept more proactive security policies’ (p. 34). Chapter 3 (by Yih-Jye Hwang and Edmund Frettingham) introduces the notion of ontological security in East Asia in order to explain the trilaterally complicated victimhood narratives that have haunted Japan, China, and Taiwan in terms of their historic and diplomatic relations in this region and vis-à-vis the West. Chapter 4 (by Victor Teo) argues that the restoration of the pre-2012 consensus will be a prerequisite for the stability of the bilateral relations between Japan and China because the deterioration surrounding the dispute derives from the very different visions of their current ‘leaderships’ (p. 68).

Chapter 5 (by Jaewoo Choo) proposes ‘the establishment of a zone of peace surrounding Dokdo’ (p. 102) by way of Japan’s conceding the island to South Korea mainly because the San Francisco Peace Treaty of 1951 lacks a legitimate, legal basis necessary for negotiation to address the territorial dispute. Chapter 6 (by Yuji Hosaka) presents an idea that both Japan and South Korea consider Dokdo not as an island but as a rock on the condition that the former admits the Okinotori Island is a rock according to the 2016 South China Sea Arbitral award. Chapter 7 (by Hitomi Koyama) comprehensively and critically analyses the historical background of international law (or, more specifically, the doctrine of intertemporal law), which is deeply rooted in Western thought and values concerning colonialism and, accordingly, assigns greater weightage to the regional ‘specificity and particularity’ (p. 138) of East Asia by reference to the contextual non-use of history.

The book under review represents a significant contribution in introducing a practical, concrete proposal for a resolution to the disputes in question on the basis of a critical look at the traditional evaluation and application of historical facts and legal tools. It is, to some extent, successful in attempting a calm review of the conventional way of proposing dispute settlement methods and methodologies without delving into nationalism, which prevents both disputing sides in question from any further dialogue. Most of the contributors to the book under review take a critical look at both the narratives to justify each party’s stance and the notion of nationalism to solidify its domestic position against external pressures.

History is not as objective as it might seem to be. This is also true with international law, as recent debates over its ‘internationality’ and ‘universality’ have shown.¹ As China’s power grows particularly in the East Asian region, the status quo therein has been shaken and reviewed. Simultaneously, this new tendency seems to accelerate a paradigm shift in the region and gradually affects the world value that has supported the system created after the Second World War under the strong initiative of the United States. The San Francisco Peace Treaty and its related

rules are also among this system. Japan is currently at a crossroads in reconsidering its policy-making and future vision on political and security changes in East Asia. The book under review is, in this sense, a good example revealing to us a fresh look at the two territorial disputes that Japan has been obliged to face as a difficult legacy of war.

Endnotes

- 1 See, for example, Anthea Roberts, *Is International Law International?*, Oxford University Press, 2017.